

REMARKS

In the January 26, 2005 Office Action, the Examiner noted that claims 1-22 were pending in the application; rejected claims 1-6, 9-13 and 16-20 under 35 USC § 102(e); and rejected claims 7, 8, 14, 15, 21 and 22 under 35 USC § 103(a). In rejecting the claims, U.S. Patents 6,484,137 to Taniguchi et al. (Reference A in the January 26, 2005, Office Action) and 5,809,454 to Okada et al. (Reference A in the July 20, 2004, Office Action) were cited. Claims 1-22 remain in the case. The Examiner's rejections are traversed below.

In the continuation of item 11 of the May 20, 2005 Advisory Action, the Examiner asserted that Fig. 14 of Taniguchi et al. disclosed "'speed conversion ... prior to decoding of the audio data or with the audio data compressed'" as recited in claim 1 at lines 4-5. However, as discussed in the April 26, 2005 Request for Reconsideration, in Fig. 14 of Taniguchi et al., the first operation performed on the MPEG audio bitstream is by frame unpacking means 101 which is described at column 11, lines 25-33 and column 25, lines 18-23 as separating a frame into its component parts. The May 20, 2005 Advisory Action failed to rebut the Applicants' position that the unpacking operation includes decompressing the data, since the output of frame unpacking means 101 is requantized by requantization means 102. The expansion/compression frequency control means corresponding to reference numeral 12-1-2 in the Fig. 14 does not operate on a frame of audio, but rather receives as input "speed rate information."

Although not clear from the description of Fig. 14, the configuration of the eighth embodiment illustrated in Fig. 14 is in principal the same as that of the first embodiment illustrated in Fig. 1. As described at column 11, lines 18-24, the first embodiment is "an example of an audio reproducing apparatus which performs time-scale modification process to intermediate data of an MPEG 1 audio bit space stream being decoded" (column 11, lines 18-21, emphasis added). Therefore, it is submitted that Taniguchi et al. does not teach or suggest "speed conversion ... prior to decoding of the audio data or with the audio data compressed" (claim 1, lines 4-5).

Furthermore, claim 1 has been amended to clarify that a decoding unit operates on a "frame of the audio data which has been speed converted by the speed conversion unit" (claim 1, lines 6-7) and that the reproduction unit performs the operation of "reproducing audible sound represented by the audio data" (claim 1, line 8). The operations now recited in claim 1 are clearly not illustrated in Fig. 14 of Taniguchi et al. For the above reasons, it is submitted that claim 1 is not anticipated by Taniguchi et al.

Claims 2, 9, and 16 all recite that the thinning of data is performed "prior to decoding of the audio data or with the audio data compressed" (e.g., claim 2, line 7). In addition, claim 2 recites a decoding unit and a reproduction unit using wording like that quoted above from claim 1 and claims 9 and 16 recite "decoding the frame of the audio data received after step (c)" (e.g., claim 9, line 8), where step (c) recites the thinning operation discussed at the beginning of this paragraph. Therefore, it is submitted that claims 2, 9 and 16 and claims 3-6, 10-13 and 17-20 which depend therefrom patentably distinguish over Taniguchi et al. for reasons similar to those discussed above with respect to claim 1.

Summary

It is submitted that the references cited by the Examiner, taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-22 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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